

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

KONNIE SCOGGINS,

3:13-CV-02118-JE

Plaintiff,

ORDER

v.

CAROLYN W. COLVIN,
Commissioner, Social Security
Administration,

Defendant.

BROWN, Judge.

Magistrate Judge John Jelderks issued Findings and Recommendation (#17) on September 30, 2015, in which he recommends this Court reverse and remand the Commissioner's decision denying Plaintiff's application for supplemental security income benefits for further administrative proceedings in which the Administrative Law Judge (ALJ) should

thoroughly and unambiguously address Dr. Morgan's opinion and either provide specific and legitimate

reasons supported by substantial evidence in the record for discounting the opinion or give it full credit and include in Plaintiff's RFC all limitations that are consistent with his report. The ALJ shall reassess Plaintiff's credibility and RFC if that is required by conclusions drawn based upon the above instructions, and shall conduct any additional proceedings required by any alteration in Plaintiff's RFC.

Findings and Recommendation at 16. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Jelderks's Findings and Recommendation (#17). Accordingly, the Court **REVERSES** the decision of the Commissioner and **REMANDS** this matter pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings.

On remand the ALJ shall thoroughly and unambiguously address Dr. Morgan's opinion and either provide specific and legitimate

reasons supported by substantial evidence in the record for discounting the opinion or give it full credit and include in Plaintiff's RFC all limitations that are consistent with Dr. Morgan's opinion. The ALJ shall reassess Plaintiff's credibility and RFC if required by the conclusions drawn based on the above instructions and shall conduct any additional proceedings resulting from modification of Plaintiff's RFC.

IT IS SO ORDERED.

DATED this 30th day of October, 2015.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge